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TIMOTHY B. FLEMING
OF COUNSEL

January 2, 2020

The Honorable Sarah Netburn
UNITED STATES MAGISTRATE JUDGE
U.S. DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007

**Re: *In Re Terrorist Attacks on September 11, 2001*, 1:03-md-01570 (GBD)(SN)
Havlish, et al. v. bin Laden, et al., 1:03-cv-09848 (GBD)(SN)
Hoglan, et al. v. Iran, et al., 1:11-cv-07550 (GBD)(SN)
Ray, et al. v. Iran, et al., 1:19-cv-00012 (GBD)(SN)
Consent Request for Second Extension of Time**

Dear Magistrate Judge Netburn:

Counsel for the *Havlish*, *Hoglan* and *Ray* Plaintiffs in the above-captioned MDL write to respectfully request a second extension of time in which to respond to The Federal Plaintiffs' Memorandum of Law in Support of their proposal concerning the establishment and allocation of the Common Benefit Fund and for reconsideration of the Court's September 30, 2019 Common Benefit Fund Decision, or, in the alternative, in support of objections to the Court's September 30, 2019 Opinion and Order pursuant to Fed. R. Civ. P. 72 (MDL Docket No. 5359), and the PEC's Motion for Reconsideration and/or Clarification of Decision Establishing a Common Benefit Fund Solely in Favor of *Havlish* Counsel. (MDL Docket No. 5361).

The reason for this request is that there are several issues raised in the above-referenced Motions/Objections which require consideration by a number of the *Havlish* attorneys in connection with preparing the Opposition/Reply, and some of these attorneys are only now returning to their offices after the holidays. This new year has also brought on other case matters requiring immediate attention for some of these attorneys, including the undersigned. Without an extension, the Opposition/Reply is due January 3, 2020.

Accordingly, *Havlish*, *Hoglan* and *Ray* counsel make this consent request for a second one-week extension until January 10, 2020, to file responses to the Federal Insurance plaintiffs' and the PEC filings.

BIRMINGHAM, AL
DELAND, FL
NASHVILLE, TN
WASHINGTON, D.C.

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Havlish Counsel has consulted with the responsible counsel for the Federal Insurance plaintiffs and for the PEC, and the undersigned has been informed that they all consent to this extension, provided that the replies of the Federal Insurance plaintiffs and the PEC would be due on January 31, 2010, in order to give those parties three weeks to reply. The parties agree that such would be an appropriate time for replies.

This is the second request for an extension of time on this particular issue. No need for a third request is anticipated.

Thank you very much for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy B. Fleming". The signature is fluid and cursive, with the first name "Timothy" and last name "Fleming" clearly distinguishable.

Timothy B. Fleming

TF

CC: All counsel of record via ECF